

**Ordinance** Numbers used this meeting: **165 - 173**

**Resolution** Numbers used this meeting: **139 - 154**

**Louisville Metro Council  
Final Agenda**

**METRO COUNCIL SUMMARY ONLY  
DETAILED MINUTES TO FOLLOW ON THE 10/11/12 COUNCIL AGENDA**

**Members Roll Call:**

(D) – Attica Scott (1)	(D) – Barbara Shanklin (2)	(D) – Mary C. Woolridge (3)
(D) – David Tandy (4) <b>EA</b>	(D) – Cheri Bryant Hamilton (5)	(D) – David James (6)
(R) – Kenneth C. Fleming (7)	(D) – Tom Owen (8) <b>Arrived 6:36pm</b>	(D) – Tina Ward-Pugh (9)
(D) – Jim King (10)	(R) – Kevin Kramer (11)	(D) – Rick Blackwell (12)
(D) – Vicki Aubrey Welch (13)	(D) – Robert Henderson (14)	(D) – Marianne Butler (15)
(R) – Kelly Downard (16)	(R) – Glen Stuckel (17)	(R) – Jon Ackerson (18)
(R) – Jerry T. Miller (19)	(R) – Stuart Benson (20)	(D) – Dan Johnson (21)
(R) – Robin Engel (22)	(R) – James Peden (23)	(D) – Madonna Flood (24)
(D) – David Yates (25)	(D) – Brent Ackerson (26) <b>Lft 6:32pm</b>	

**Meeting Date:** 09/27/2012

**Meeting Time:** 6:00 PM

**Location:** 601 W. Jefferson Street  
3<sup>rd</sup> Floor, City Hall  
Louisville, KY 40202

**President:** Jim King (10)

**Pro-Tem:** Madonna Flood (24)

**Clerks:** Kathy Herron and H. Stephen Ott

**Address to Council**

1- There were three addresses to the Council

**Guests**

2- CW Ward-Pugh welcomed Mr. Louis Straub and Mary Byrne, Brightside - Golden Broom Awards

3- President King welcomed Mr. Brad Loar, Director of the Mitigation Division for the Federal Emergency Management Agency's Region IV Office and Steve Emily, MSD Chief Engineer

**Council Minutes**

4- Regular Council Minutes - September 13, 2012

Motion to approve made by Mary C. Woolridge and seconded by Dan Johnson.

By Voice Vote the Council Minutes were **approved as written**.

**Committee Minutes**

5- Regular: Ad Hoc Committee on the Land Development Code - September 25, 2012

6- Regular: Ad Hoc Committee on Vacant Properties - September 10, 2012

- 7- Regular: Appropriations, NDFs and CIFs - September 19, 2012
- 8- Regular: Budget - September 20, 2012
- 9- Regular: Committee of the Whole - September 13, 2012
- 10- Regular: Committee on Appointments - September 18, 2012
- 11- Regular: Committee on Committees - September 25, 2012
- 12- Regular: Committee on Contracts - September 18, 2012
- 13- Regular: Committee on Health, Education and Housing
- 14- Regular: Committee on Sustainability - September 13, 2012
- 15- Regular: Government Accountability and Ethics - September 18, 2012
- 16- Regular: Labor & Economic Development - September 19, 2012
- 17- Regular: Public Safety - September 20, 2012
- 18- Regular: Public Works, Bridges and Transportation - September 20, 2012

Motion to approve made by CM David James and seconded by CM Dan Johnson

By Voice Vote the Committee Minutes were **approved as written**.

#### **Communication From Mayor**

- 19- Highview Fire Protection District Board - John Voccio

The Clerk read the Mayor's communication in to the record. This requires Council approval and has been assigned to the Committee on Appointments.

#### **Consent Calendar**

**President King, per request, item 20 was moved to Old Business.**

The Consent Calendar consists of items 21 – 45. The Clerk provided a second reading.

- 21- **O-175-09-12 AN ORDINANCE APPROPRIATING \$9,000 FROM DISTRICT 4 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE LOUISVILLE HISTORICAL LEAGUE, INC. TOWARD RESTORATION OF THE LOUISVILLE CLOCK. (Ordinance 165, Series 2012)**  
  

**Committee:** Appropriations NDFs and CIFs  
**Status:** On Council Agenda - Consent Calendar  
                   Action Required By March 2013  
**Primary Sponsor:** David Tandy
- 22- **O-172-09-12 AN ORDINANCE AMENDING ORDINANCE NO. 120, SERIES 2012, RELATING TO THE FISCAL YEAR 2012-13 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$6,000 OF FUNDING FROM THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 25) TO THE METRO COUNCIL GENERAL OPERATIONS**

**(DISTRICT 25). (Ordinance 166, Series 2012)**

**Committee:** Budget  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** David Yates

23-

**O-174-09-12 AN ORDINANCE AMENDING ORDINANCE NO. 120, SERIES 2012 AND ORDINANCE NO. 119, SERIES 2012 RELATING TO THE FISCAL YEAR 2012-13 OPERATING AND CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$4,562.04 FROM THE DISTRICT 17 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 17 CAPITAL INFRASTRUCTURE FUND. (Ordinance 167, Series 2012)**

**Committee:** Budget  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** Glen Stuckel

24-

**O-178-09-12 AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, KENTUCKY, (i) AUTHORIZING THE ISSUANCE OF ITS HEALTH SYSTEM VARIABLE RATE REVENUE REFUNDING BONDS SERIES 2012A, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$22,000,000, THE PROCEEDS OF WHICH SHALL BE LOANED TO NORTON HEALTHCARE, INC. AND NORTON HOSPITALS, INC. TO REFUND AND RETIRE CERTAIN OUTSTANDING INDEBTEDNESS AND (ii) TAKING OTHER RELATED ACTION. (Ordinance 168, Series 2012)**

**Committee:** Budget  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** David Tandy

25-

**R-151-09-12 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT UP TO \$5,000,000 IN KENTUCKY TAX INCREMENT FINANCING (TIF) BENEFITS RELATED TO THE CHURCHILL DOWNS DEVELOPMENT AREA GRANT AGREEMENT AUTHORIZED BY ORDINANCE NO. 73, SERIES 2002 FROM THE FORMER CITY OF LOUISVILLE TO BE ADMINISTERED BY THE METROPOLITAN DEVELOPMENT AUTHORITY INC. (MDA) AS A SUCCESSOR TO THE LOUISVILLE DEVELOPMENT AUTHORITY (LDA) THROUGH THE DEPARTMENT OF ECONOMIC GROWTH AND INNOVATION. (Resolution 139, Series 2012)**

**Committee:** Budget  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** David Tandy

26-

**AP091812JM APPOINTMENT OF JANIS CARTER MILLER TO THE BOARD OF ZONING ADJUSTMENT. TERM EXPIRES JUNE 30, 2015. (Approved)**

**Committee:** Committee on Appointments  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013

- 27- **AP091812DL APPOINTMENT OF DONALD LASSERE TO THE CONVENTION AND VISITORS BUREAU COMMISSION. TERM EXPIRES AUGUST 16, 2015. (Approved)**
- Committee:** Committee on Appointments  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013
- 28- **RP091812RG RE-APPOINTMENT OF REGINALD GLASS TO THE HUMAN RELATIONS COMMISSION-ADVOCACY BOARD. TERM EXPIRES SEPTEMBER 30, 2015. (Approved)**
- Committee:** Committee on Appointments  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013
- 29- **RP091812JT RE-APPOINTMENT OF JENNIFER TUCKER TO THE HUMAN RELATIONS COMMISSION - ENFORCEMENT BOARD. TERM EXPIRES SEPTEMBER 30, 2015. (Approved)**
- Committee:** Committee on Appointments  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013
- 30- **RP091812MM RE-APPOINTMENT OF MARY MORROW TO THE TARC BOARD. TERM EXPIRES JUNE 30, 2015. (Approved)**
- Committee:** Committee on Appointments  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013
- 31- **R-140-09-12 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - (UNIVERSITY MEDICAL CENTER, INC., D/B/A UNIVERSITY OF LOUISVILLE HOSPITAL/JAMES GRAHAM BROWN CANCER CENTER - \$46,000.00). (Resolution 140, Series 2012)**
- Committee:** Committee on Contracts  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** David Yates
- 32- **R-141-09-12 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW SOLE SOURCE CONTRACT – (CODE FOR AMERICA LABS, INC. - \$25,000.00). (Resolution 141, Series 2012)**
- Committee:** Committee on Contracts  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** David Yates
- 33- **R-128-08-12 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET**

**ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING  
NONCOMPETITIVELY NEGOTIATED RENEWAL SOLE SOURCE CONTRACT – (YOUNG MEN’S  
CHRISTIAN ASSOCIATION OF GREATER LOUISVILLE - \$55,000.00). (Resolution 142, Series  
2012)**

**Committee:** Committee on Contracts  
**Status:** On Council Agenda - Consent Calendar  
Action Required By February 2013  
**Primary Sponsor:** David Yates

34-

**R-142-09-12 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT FUNDING FROM THE  
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES/OFFICE OF ADOLESCENT HEALTH  
TEENAGE PREGNANCY PREVENTION THROUGH THE UNIVERSITY OF LOUISVILLE  
RESEARCH FOUNDATION, INC. TO BE ADMINISTERED BY THE DEPARTMENT OF  
COMMUNITY SERVICES AND REVITALIZATION THROUGH VARIOUS NEIGHBORHOOD PLACE  
BRANCHES. (Resolution 143, Series 2012)**

**Committee:** Committee on Health Education and Housing  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** Vicki Aubrey Welch

35-

**R-139-09-12 A RESOLUTION DETERMINING ONE (1) PARCEL OF REAL PROPERTY LOCATED  
AT 1450 LEXINGTON ROAD OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO  
GOVERNMENT (“METRO GOVERNMENT”) AS SURPLUS AND NO LONGER NEEDED FOR A  
GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER. (Resolution 144, Series  
2012)**

**Committee:** Labor & Economic Development  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** Tina Ward-Pugh

36-

**R-143-09-12 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO  
ABILENE TX FOODS, INC. PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Resolution  
145, Series 2012)**

**Committee:** Labor & Economic Development  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** David Tandy

37-

**R-144-09-12 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO  
ENGINE PARTS WAREHOUSE, INC. PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.  
(Resolution 146, Series 2012)**

**Committee:** Labor & Economic Development  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** David Tandy

- 38- **R-145-09-12 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO J&L MARKETING INC. PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Resolution 147, Series 2012)**
- Committee:** Labor & Economic Development  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** David Tandy
- 39- **R-146-09-12 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO LIFE SAFETY SERVICES, LLC PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Resolution 148, Series 2012)**
- Committee:** Labor & Economic Development  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** David Tandy
- 40- **R-147-09-12 A RESOLUTION AMENDING RESOLUTION NO. 21, SERIES 2012, APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO RAINBOW DESIGN SERVICES, INC. PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Resolution 149, Series 2012)**
- Committee:** Labor & Economic Development  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** David Tandy
- 41- **R-148-09-12 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO LONG JOHN SILVER'S LLC PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Resolution 150, Series 2012)**
- Committee:** Labor & Economic Development  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** David Tandy
- 42- **R-149-09-12 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO RALCORP FROZEN BAKERY PRODUCTS PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Resolution 151, Series 2012)**
- Committee:** Labor & Economic Development  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** David Tandy
- 43- **R-150-09-12 A RESOLUTION AUTHORIZING THE METRO GOVERNMENT TO ACCEPT \$145,000.00 FROM THE KENTUCKIANA REGIONAL PLANNING AND DEVELOPMENT AGENCY ("KIPDA"). (Resolution 152, Series 2012)**
- Committee:** Public Works Bridges and Transportation  
**Status:**

On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** Brent Ackerson

44- **R-125-08-12 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT FUNDING FROM THE LOUISVILLE GAS AND ELECTRIC COMPANY (LG&E) AND THE METROPOLITAN SEWER DISTRICT (MSD) FOR TREE PLANTING PROGRAMS TO BE ADMINISTERED BY METRO PARKS. (Resolution 153, Series 2012)**

**Committee:** Committee on Sustainability  
**Status:** On Council Agenda - Consent Calendar  
Action Required By February 2013  
**Primary Sponsor:** Vicki Aubrey Welch

45- **O-177-09-12 AN ORDINANCE PARTIALLY CLOSING A 20' WIDE ALLEY BOUNDED BY WEST BRECKINRIDGE STREET, SOUTH 3RD STREET, WEST KENTUCKY STREET, AND SOUTH 4TH STREET CONTAINING 0.266 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16689). (Ordinance 169, Series 2012)**

**Committee:** AD HOC Committee on Land Development Code  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013  
**Primary Sponsor:** Jon Ackerson

Motion to approve made by CW Barbara Shanklin and seconded by Mary C. Woolridge.

The Consent Calendar **Passed**.

**VOTING RESULTS:** For: 24; Against: 0; Abstain: 0; Absent: 2

**For:** Attica Scott, Barbara Shanklin, Mary C. Woolridge, Cheri Bryant Hamilton, David James, Kenneth C. Fleming, Tom Owen, Tina Ward-Pugh, Jim King, Kevin Kramer, Rick Blackwell, Vicki Aubrey Welch, Robert Henderson, Marianne Butler, Kelly Downard, Glen Stuckel, Jon Ackerson, Jerry T. Miller, Stuart Benson, Dan Johnson, Robin Engel, James Peden, Madonna Flood, David Yates

**Against:** (None)

**Abstain:** (None)

**Absent:** David Tandy, Brent Ackerson

### Old Business

Item 20 was moved from the Consent Calendar.

20- **O-171-09-12 AN ORDINANCE APPROPRIATING A TOTAL OF \$31,875 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$4,125 FROM DISTRICTS 24, 26; \$3,750 FROM DISTRICT 13; \$3,375 FROM DISTRICTS 21, 4; \$2,625 FROM DISTRICT 16; \$2,250 FROM DISTRICTS 3, 1, 6, 2; \$750 FROM DISTRICTS 25, 23; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET TO THE CHILD CONNECTION, INC. TO CONDUCT THE STRANGER SAFETY PROGRAM IN VARIOUS ELEMENTARY AND MIDDLE SCHOOLS IN JEFFERSON COUNTY. (Ordinance 170, Series 2012)**

**Committee:** Appropriations NDFs and CIFs  
**Status:** On Council Agenda - Consent Calendar  
Action Required By March 2013

**Primary Sponsor:**

Madonna Flood  
Brent Ackerson  
Vicki Aubrey Welch  
Dan Johnson  
David Tandy  
Kelly Downard  
Mary C. Woolridge  
Attica Scott  
David James  
Barbara Shanklin  
David Yates  
James Peden

Motion to approve made by CW Barbara Shanklin and seconded by CW Mary C. Woolridge.

Motion to amend made by CW Madonna Flood and seconded by CW Ward-Pugh to adjust District 26's allocation from \$4,125 to \$4,875 and making the total allocation \$32,625.

By voice vote the **amendment passed**.

The Ordinance as amended **Passed**.

**VOTING RESULTS:** For: 24; Against: 0; Abstain: 0; Absent: 2

**For:** Attica Scott, Barbara Shanklin, Mary C. Woolridge, Cheri Bryant Hamilton, David James, Kenneth C. Fleming, Tom Owen, Tina Ward-Pugh, Jim King, Kevin Kramer, Rick Blackwell, Vicki Aubrey Welch, Robert Henderson, Marianne Butler, Kelly Downard, Glen Stuckel, Jon Ackerson, Jerry T. Miller, Stuart Benson, Dan Johnson, Robin Engel, James Peden, Madonna Flood, David Yates

**Against:** (None)

**Abstain:** (None)

**Absent:** David Tandy, Brent Ackerson

46-

**O-167-08-12 AN ORDINANCE APPROPRIATING (\$13,000) \$23,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$5,000 EACH FROM DISTRICTS 9, 24; \$3,000 FROM DISTRICT 19; \$1,000 EACH FROM DISTRICTS 8 AND 10; \$2,000 FROM DISTRICT 17; \$2,500 FROM DISTRICT 18; \$3,500 FROM DISTRICT 7; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO EDGE OUTREACH, INC. FOR (IMPROVEMENT PROJECTS TO THE 625 MYRTLE STREET BUILDING HOUSING THE WATERSTEP PROGRAM PUBLIC) PROGRAM EXPENSES. (AS AMENDED) (Ordinance 171, Series 2012)**

**Committee:** Appropriations NDFs and CIFs

**Status:** On Council Agenda - Old Business  
Action Required By February 2013

**Primary Sponsor:**

Tina Ward-Pugh  
Madonna Flood  
Jerry T. Miller

**Additional Sponsor:**

Glen Stuckel  
Jim King  
Jon Ackerson  
Kenneth C. Fleming  
Tom Owen

Motion to approve made by CM David James and seconded by CM James Peden

Motion to amend made by CW Tina Ward-Pugh and seconded by CM Dan Johnson to add the following amounts from adjoining District's:

\$2,500 from District's 9 (CW Ward-Pugh) and 24 (CW Flood)

\$1,000 from District's 6 (CM James), 10 (President King), and 16 (CM Downard)

For a total increase of \$8,000 and a total allocation of \$31,000.

By voice vote the **amendment passed**.

The Ordinance as amended **Passed**.

**VOTING RESULTS:** For: 23; Against: 0; Abstain: 1; Absent: 2

**For:** Attica Scott, Barbara Shanklin, Mary C. Woolridge, Cheri Bryant Hamilton, David James, Kenneth C. Fleming, Tom Owen, Jim King, Kevin Kramer, Rick Blackwell, Vicki Aubrey Welch, Robert Henderson, Marianne Butler, Kelly Downard, Glen Stuckel, Jon Ackerson, Jerry T. Miller, Stuart Benson, Dan Johnson, Robin Engel, James Peden, Madonna Flood, David Yates

**Against:** (None)

**Abstain:** Tina Ward-Pugh

**Absent:** David Tandy, Brent Ackerson

47-

**O-173-09-12 AN ORDINANCE APPROPRIATING \$6,700 FROM NEIGHBORHOOD DEVELOPMENT FUNDS AS FOLLOWS: \$1,000 FROM DISTRICT 9; \$500 EACH FROM DISTRICTS 13, 8, 24, 2, 26, 25, 12, 3, 15; \$250 EACH FROM DISTRICTS 10, 1, 6, 21; \$200 FROM DISTRICT 14; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE COALITION FOR THE HOMELESS, INC., FOR SPONSORSHIP OF THE 5K "ELIMINATE HOMELESSNESS" EVENT TO RAISE FUNDS FOR THE "HOMELESS, NOT HELPLESS" YOUTH INITIATIVE.**  
**(Ordinance 172, Series 2012)**

**Committee:** Appropriations NDFs and CIFs

**Status:** On Council Agenda - Old Business  
Action Required By March 2013

**Primary Sponsor:** Vicki Aubrey Welch  
Attica Scott  
Barbara Shanklin  
Dan Johnson  
Brent Ackerson  
Madonna Flood  
Marianne Butler  
Mary C. Woolridge  
Rick Blackwell  
Robert Henderson  
Jim King  
Tina Ward-Pugh  
Tom Owen  
David James  
David Yates

Motion to approve made by CW Mary C. Woolridge and seconded by James Peden

The Ordinance **Passed**.

**VOTING RESULTS:** For: 24; Against: 0; Abstain: 0; Absent: 2

**For:** Attica Scott, Barbara Shanklin, Mary C. Woolridge, Cheri Bryant Hamilton, David James, Kenneth C. Fleming, Tom Owen, Tina Ward-Pugh, Jim King, Kevin Kramer, Rick Blackwell, Vicki Aubrey Welch, Robert Henderson, Marianne Butler, Kelly Downard, Glen Stuckel, Jon Ackerson, Jerry T. Miller, Stuart Benson, Dan Johnson, Robin Engel, James Peden, Madonna Flood, David Yates

**Against:** (None)

**Abstain:** (None)

**Absent:** David Tandy, Brent Ackerson

48-

**O-176-09-12 AN ORDINANCE APPROPRIATING \$8,660 FROM DISTRICT 8 NEIGHBORHOOD DEVELOPMENT FUNDS THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE HIGHLANDS COMMUNITY MINISTRIES, INC. (HMC) FOR “WEEK IN THE HIGHLANDS” PROGRAMMING AND (OPERATING EXPENSES) PASS THROUGH TO SUB-GRANTEES, BELKNAP NEIGHBORHOOD ASSOCIATION, WARHEIM PARK ASSOCIATION AND PLANT FOR THE PLANET (As amended). (Ordinance 173, Series 2012)**

**Committee:** Appropriations NDFs and CIFs

**Status:**

On Council Agenda - Old Business

Action Required By March 2013

**Primary Sponsor:** Tom Owen

Motion to approve made by CM James Peden and seconded by CW Barbara Shanklin

The amended Ordinance **Passed**.

**VOTING RESULTS:** For: 24; Against: 0; Abstain: 0; Absent: 2

**For:** Attica Scott, Barbara Shanklin, Mary C. Woolridge, Cheri Bryant Hamilton, David James, Kenneth C. Fleming, Tom Owen, Tina Ward-Pugh, Jim King, Kevin Kramer, Rick Blackwell, Vicki Aubrey Welch, Robert Henderson, Marianne Butler, Kelly Downard, Glen Stuckel, Jon Ackerson, Jerry T. Miller, Stuart Benson, Dan Johnson, Robin Engel, James Peden, Madonna Flood, David Yates

**Against:** (None)

**Abstain:** (None)

**Absent:** David Tandy, Brent Ackerson

49-

**R-152-09-12 A RESOLUTION AMENDING SECTION 3 OF THE LOUISVILLE METRO COUNCIL POLICIES AND PROCEDURES, PERTAINING TO NEIGHBORHOOD DEVELOPMENT FUNDS AND CAPITAL INFRASTRUCTURE FUNDS. (As Amended) (Resolution 154, Series 2012)**

**Committee:** Government Accountability and Ethics

**Status:**

On Council Agenda - Old Business

Action Required By March 2013

**Primary Sponsor:**

Jerry Miller

Jim King

Motion to approve made by CM David James and seconded by CW Marianne Butler

Motion to amend made by CW Cheri Bryant Hamilton and seconded by CW Mary C. Woolridge by striking the following statement from page 2 under “Eligible and Ineligible Activities”: “cash payment/incentives to individual program participants – ie. e.g. Paying students for increasing their grade point, uniforms for extra-curricular activities, or awards (except for de minimus awards) for individuals”.

By voice vote the **amendment passed.**

By Voice Vote the amended Resolution was **Adopted**

### **New Business**

#### **Legislation assigned to APPROPRIATIONS, NDFS AND CIFS**

- 50- O-179-09-12 AN ORDINANCE APPROPRIATING \$12,500 FROM DISTRICT 9 NEIGHBORHOOD DEVELOPMENT FUNDS, TO THE DEPARTMENT OF COMMUNITY SERVICES & REVITALIZATION FOR PROGRAMMING COSTS ASSOCIATED WITH THE GREEN INSTITUTE LEADERSHIP PROGRAM OFFERED BY THE LOUISVILLE COMMUNITY DESIGN CENTER, INC. "CENTER FOR NEIGHBORHOODS."
- Committee:** Appropriations NDFs and CIFS  
**Status:** On Council Agenda - New Business  
Action Required By March 2013  
**Primary Sponsor:** Tina Ward-Pugh
- 51- O-182-09-12 AN ORDINANCE APPROPRIATING \$5,500 FROM DISTRICT 23 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE HIGHVIEW BUSINESS OWNERS ASSOCIATION, INC. FOR COSTS ASSOCIATED WITH THE HIGHVIEW FALL FESTIVAL, PARADE AND HIGHVIEW HOLIDAY FESTIVAL.
- Committee:** Appropriations NDFs and CIFS  
**Status:** On Council Agenda - New Business  
Action Required By March 2013  
**Primary Sponsor:** James Peden
- 52- O-184-09-12 AN ORDINANCE APPROPRIATING \$22,000 FROM DISTRICT 24 NEIGHBORHOOD DEVELOPMENT FUNDS (NDF) , THROUGH THE OFFICE OF MANAGEMENT AND BUDGET (OMB), TO THE JEFFERSON COUNTY PUBLIC EDUCATION FOUNDATION, INC. (JCPEF), TO BE USED BY THE FAMILY RESOURCE YOUTH SERVICES CENTERS (FRYSC) FOR EDUCATIONAL PROGRAMMING EXPENSES FOR VARIOUS PROGRAMS IN THE FOLLOWING SCHOOLS RESPECTIVELY: TT KNIGHT MIDDLE SCHOOL - \$4,000 FOR "BLESSINGS IN A BACKPACK" AND \$4,000 FOR "JUST BETWEEN TEENS"; BLUE LICK ELEMENTARY SCHOOL - \$4,000 FOR "BLESSINGS IN A BACK PACK" AND \$4,000 FOR "FAMILY LITERACY NIGHTS"; AND SOUTHERN HIGH SCHOOL - \$6,000 FOR ANGER MANAGEMENT, CONFLICT RESOLUTION, ALATEEN DRUG AND ALCOHOL EDUCATIONAL PROGRAMS.
- Committee:** Appropriations NDFs and CIFS  
**Status:** On Council Agenda - New Business  
Action Required By March 2013  
**Primary Sponsor:** Madonna Flood
- 53- O-183-09-12 AN ORDINANCE APPROPRIATING \$7,500 FROM DISTRICT 9 NEIGHBORHOOD DEVELOPMENT FUNDS, TO THE DEPARTMENT OF ECONOMIC GROWTH AND INNOVATION FOR A YEARLY LEASE AGREEMENT WITH WINDHORST INVESTMENTS, LTD FOR THE USE OF A PARKING LOT IN THE VICINITY OF 2018 FRANKFORT AVENUE.
- Committee:** Appropriations NDFs and CIFS  
**Status:** On Council Agenda - New Business

Action Required By March 2013  
**Primary Sponsor:** Tina Ward-Pugh

54-

O-190-09-12 AN ORDINANCE APPROPRIATING \$52,360 FROM DISTRICT NEIGHBORHOOD DEVELOPMENT FUNDS AS FOLLOWS: \$9,350 FROM DISTRICT 23; \$7,480 EACH FROM DISTRICTS 2, 11; \$1,870 EACH FROM DISTRICTS 8, 17; \$5,610 FROM DISTRICT 3; \$14,960 FROM DISTRICT 12; \$3,740 FROM DISTRICT 13; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO BLUE APPLE PLAYERS, INC., FOR PROGRAMMING EXPENSES CONNECTED WITH PERFORMANCES OF "ABRAHAM LINCOLN: THE BOY" IN DISTRICT SCHOOLS.

**Committee:** Appropriations NDFs and CIFs

**Status:**

On Council Agenda - New Business  
Action Required By March 2013

**Primary Sponsor:**

James Peden  
Barbara Shanklin  
Kevin Kramer  
Tom Owen  
Glen Stuckel  
Mary C. Woolridge  
Rick Blackwell  
Vicki Aubrey Welch

#### **Legislation assigned to BUDGET**

55-

O-185-09-12 AN ORDINANCE AUTHORIZING AMENDMENTS TO \$10,000,000 LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT INDUSTRIAL BUILDING REVENUE BONDS, SERIES 2010 (MILLENNIUM FORGE, INC. PROJECT) ISSUED ON DECEMBER 14, 2010, INCLUDING THE EXECUTION AND DELIVERY OF THE FIRST AMENDMENT TO INDENTURE OF TRUST BY AND BETWEEN THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., AS TRUSTEE.

**Committee:** Budget

**Status:**

On Council Agenda - New Business  
Action Required By March 2013

**Primary Sponsor:** David James

56-

R-158-09-12 A RESOLUTION OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, KENTUCKY AUTHORIZING THE APPOINTMENT OF U.S. BANCORP, AS SUCCESSOR REMARKETING AGENT FOR THE \$31,000,000 PRINCIPAL AMOUNT OF LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, KENTUCKY, ENVIRONMENTAL FACILITIES REVENUE REFUNDING BONDS, 2007 SERIES A (LOUISVILLE GAS AND ELECTRIC COMPANY PROJECT).

**Committee:** Budget

**Status:**

On Council Agenda - New Business  
Action Required By March 2013

**Primary Sponsor:** David Tandy

57-

O-186-09-12 AN ORDINANCE AMENDING ORDINANCE NO. 140, SERIES 2011, ORDINANCE NO. 120, SERIES 2012, AND ORDINANCE NO. 141, SERIES 2011 RELATING TO THE FISCAL YEAR 2011-12 OPERATING, THE FISCAL YEAR 2012-13 OPERATING, AND THE FISCAL YEAR 2012-13 CAPITAL BUDGETS, RESPECTIVELY, FOR THE LOUISVILLE/JEFFERSON COUNTY METRO

GOVERNMENT, BY TRANSFERRING \$148,700 FROM THE DISTRICT 11 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 11 CAPITAL INFRASTRUCTURE FUND AND BY TRANSFERRING \$500 FROM THE DISTRICT 22 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 22 CAPITAL INFRASTRUCTURE FUND.

**Committee:** Budget

**Status:**

On Council Agenda - New Business  
Action Required By March 2013

**Primary Sponsor:**

Kevin Kramer  
Robin Engel

58-

O-187-09-12 AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, KENTUCKY, AUTHORIZING THE ISSUANCE OF ITS REFUNDING REVENUE BONDS, SERIES 2012 (LOUISVILLE MEDICAL CENTER, INC. LAUNDRY FACILITY PROJECT) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,400,000 FOR THE PURPOSE OF ADVANCE REFUNDING ITS LOUISVILLE MEDICAL CENTER LAUNDRY REVENUE BONDS, SERIES 2003; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND TRUST INDENTURE, LOAN AGREEMENT, AND TAX REGULATORY AGREEMENT; AUTHORIZING THE PREPARATION, DISTRIBUTION AND DELIVERY OF AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT; AUTHORIZING AND APPROVING AN AMENDMENT OF THE CONTRACT GOVERNING THE OPERATION AND MANAGEMENT OF THE CENTRAL MEDICAL LAUNDRY FACILITY REFINANCED, IN PART, BY THE BONDS; AUTHORIZING AND APPROVING CERTAIN OTHER MATTERS, INCLUDING THE EXECUTION OF RELATED DOCUMENTS, IN CONNECTION WITH THE SALE AND ISSUANCE OF THE BONDS.

**Committee:** Budget

**Status:**

On Council Agenda - New Business  
Action Required By March 2013

**Primary Sponsor:**

David Tandy

59-

O-188-09-12 AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, KENTUCKY, AUTHORIZING THE ISSUANCE OF ITS REFUNDING REVENUE BONDS, SERIES 2012A (LOUISVILLE MEDICAL CENTER, INC. STEAM AND CHILLED WATER PLANT PROJECT) AND TAXABLE REFUNDING REVENUE BONDS, SERIES 2012B (LOUISVILLE MEDICAL CENTER, INC. STEAM AND CHILLED WATER PLANT PROJECT) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$9,000,000 FOR THE PURPOSE OF CURRENTLY REFUNDING ITS COUNTY OF JEFFERSON, KENTUCKY, LOUISVILLE MEDICAL CENTER REFUNDING AND REVENUE BONDS, SERIES 2002; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND TRUST INDENTURE, LOAN AGREEMENT, AND TAX REGULATORY AGREEMENT; AUTHORIZING THE PREPARATION, DISTRIBUTION AND DELIVERY OF AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT; AUTHORIZING AND APPROVING A SECOND SUPPLEMENTAL USER CONTRACT GOVERNING THE OPERATION AND MANAGEMENT OF THE STEAM AND CHILLED WATER PLANT REFINANCED IN PART BY THE BONDS; AUTHORIZING AND APPROVING CERTAIN OTHER MATTERS, INCLUDING THE EXECUTION OF RELATED DOCUMENTS, IN CONNECTION WITH THE SALE AND ISSUANCE OF THE BONDS.

**Committee:** Budget

**Status:**

On Council Agenda - New Business  
Action Required By March 2013

**Primary Sponsor:**

David Tandy

60- O-189-09-12 AN ORDINANCE AMENDING ORDINANCES NO. 141 SERIES 2011 AND NO. 119, SERIES 2012, RELATING TO THE FISCAL YEARS 2011-12 AND 2012-13 CAPITAL BUDGETS, RESPECTIVELY, FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BY TRANSFERRING \$77,010 OF CAPITAL CUMULATIVE RESERVE FUNDS AND \$22,990 OF CAPITAL IMPROVEMENT FUNDS TO A NEW PROJECT RELATED TO DISTRICT 18 TO BE ADMINISTERED BY PUBLIC WORKS & ASSETS.

**Committee:** Budget  
**Status:** On Council Agenda - New Business  
Action Required By March 2013  
**Primary Sponsor:** Jon Ackerson

**Legislation assigned to COMMITTEE ON APPOINTMENTS**

61- Highview Fire Protection District Board - John Voccio

**Committee:** Committee on Appointments  
**Status:** On Council Agenda - New Business

**Legislation assigned to COMMITTEE ON CONTRACTS**

62- R-153-09-12 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING RENEWAL CONTRACT - (FORENSIC MEDICAL SERVICES, INC. - \$60,000.00).

**Committee:** Committee on Contracts  
**Status:** On Council Agenda - New Business  
Action Required By March 2013  
**Primary Sponsor:** David Yates

63- R-154-09-12 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - (FORENSIC MEDICAL SERVICES, INC. - \$110,000.00).

**Committee:** Committee on Contracts  
**Status:** On Council Agenda - New Business  
Action Required By March 2013  
**Primary Sponsor:** David Yates

64- R-155-09-12 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW SOLE SOURCE CONTRACT - DATA COMPRESSION TECHNOLOGIES, INC. – \$40,000.00.

**Committee:** Committee on Contracts  
**Status:** On Council Agenda - New Business  
Action Required By March 2013  
**Primary Sponsor:** David Yates

65- R-156-09-12 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET

ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING  
NONCOMPETITIVELY NEGOTIATED RENEWAL SOLE SOURCE CONTRACT – (EXPLORER  
SYSTEMS, INC. - \$90,000.00).

**Committee:** Committee on Contracts  
**Status:** On Council Agenda - New Business  
Action Required By March 2013  
**Primary Sponsor:** David Yates

66-

R-157-09-12 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET  
ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING  
NONCOMPETITIVELY NEGOTIATED RENEWAL SOLE SOURCE CONTRACT – (UNIVERSITY OF  
LOUISVILLE RESEARCH FOUNDATION, INC. - \$59,500.00).

**Committee:** Committee on Contracts  
**Status:** On Council Agenda - New Business  
Action Required By March 2013  
**Primary Sponsor:** David Yates

67-

R-159-09-12 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET  
ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING  
NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT GRESHAM  
SMITH AND PARTNERS – \$194,714.00.

**Committee:** Committee on Contracts  
**Status:** On Council Agenda - New Business  
Action Required By March 2013  
**Primary Sponsor:** David Yates

**Legislation assigned to PLANNING/ZONING, LAND DESIGN AND DEVELOPMENT**

68-

O-180-09-12 AN ORDINANCE CHANGING THE ZONING FROM R-6 AND R-7 MULTI-FAMILY  
RESIDENTIAL TO OR-3 OFFICE RESIDENTIAL ON PROPERTY LOCATED AT 2100-2120, 2022 &  
2023 WEST CHESTNUT STREET, 612 AND 614 DR. W.J. HODGE STREET AND 613 AND 615  
SOUTH 22ND STREET, CONTAINING A TOTAL OF 2.47 ACRES AND BEING IN LOUISVILLE  
METRO (CASE NO. 17382).

**Committee:** Planning/Zoning Land Design & Development  
**Status:** On Council Agenda - New Business  
Action Required By December 6, 2012  
**Primary Sponsor:** Jon Ackerson

69-

O-181-09-12 AN ORDINANCE CHANGING THE ZONING FROM R-6 MULTI-FAMILY RESIDENTIAL  
TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 2425 PORTLAND AVENUE, CONTAINING A  
TOTAL OF 7,000 SF OF WHICH 0.16 ACRES IS PROPOSED TO BE REZONED, AND BEING IN  
LOUISVILLE METRO (CASE NO. 15045).

**Committee:** Planning/Zoning Land Design & Development  
**Status:** On Council Agenda - New Business  
Action Required By March 2013  
**Primary Sponsor:** Jon Ackerson

### **Adjournment**

Motion to adjourn made by CW Mary C. Woolridge and seconded by CW Attica Scott. Without objection, the meeting **adjourned at 7:15PM, EDT.**

### **Announcements**

70-

Council District Announcements were made by CW Scott, CW Mary C. Woolridge, CW Aubrey Welch, and CM Owen.